

REMARKS

In the Office Action, dated April 16, 2002, the Examiner states that Claims 1-21 are pending, Claims 1-20 are rejected, and Claims 9, 10, 12 and 16 are objected to. By the present Amendment, Applicant amends the claims.

CLAIM OBJECTIONS

In the Office Action, the Patent Office objects to Claims 9-10, 12 and 16 as being in improper multiple dependent claim format. The Applicant respectfully disagrees with this objection.

Under 35 CFR 1.75(c), an improper multiple dependent claim is defined as a multiple dependent claim which depends from another multiple dependent claim. Since none of Claims 9-10, 12 or 16 are multiple dependent claims, they are not improper multiple dependent claims.

CLAIM/REJECTIONS UNDER §102

In the Office Action, the Patent Office rejects Claims 1, 5-8 and 11-20 under 35 USC §102(b) as anticipated by US 5,433,506 (Jensen). Applicant has amended Claims 1-5 to more clearly define the invention. Amended Claim 1 now defines each bladder being charged with air "prior to use such that when used the air amount is not greater than 60% of the maximum contained volume of the bladder".

Furthermore, the claim states that "the air may freely be displaced only within the bladder in use". Amended Claim 1 is now clearly distinguishable from US 5,433,506 because US 5,433,506 provides a different function; namely, providing pneumatically inflating cushions which conform resiliently to the user's body but return to a fully inflated state when the chair is unoccupied. This is not a function that the present invention is concerned with because it employs bladders in which the volume of air does not change within the cushion in use.

In view of the amendments to the claims, Applicant considers that the claims are not anticipated by US 5,433,506 for the reasons stated above.

CLAIM REJECTIONS UNDER §103

In the Office Action, the Patent Office rejects Claims 2-4 and 9-10 under 35 USC §103(a) as unpatentable over US 5,433, 506 (Jensen). For the same reason as stated above, the Applicant considers the claims not to be obvious in view of US 5,433,506.

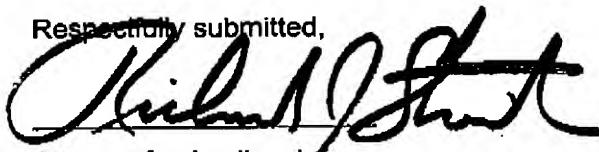
Furthermore, the Examiner has taken Official Notice of the fact that "it would have been obvious for one skilled in the art to provide overlapping cushions since it is held to be within a general skill of a worker to place cushions as were deemed fit as a matter of obvious design choice" and that "it would have obvious for one skilled in the art at the time of the invention to fill the chamber within any range desired from 0% to 100% since it is taught that one can operate the manifold, thus filling the bladders is a matter of design choice of the operator. Applicant challenges the Examiner's personal knowledge of what one of ordinary skill in the art knows and would like the Examiner to produce support of his personal knowledge. A rejection under 35 USC §103 must be based upon the written evidence of record. Therefore, either prior art references or a supportable affidavit of the Examiner's personal knowledge must be submitted to maintain the rejection under §103.

In light of the foregoing response, all the outstanding objections and rejections have been overcome. Applicant respectfully submits that this application should now be in better condition for allowance and respectfully request favorable consideration.

July 8, 2002

Date

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Peter Alan SMITH)
SERIAL NO: 09/622,249) Group Art Unit: 3635
FILED: August 15, 2000) Examiner: D. Dorsey

TITLE: CHAIR INCORPORATING AIR CUSHIONS

**THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231**

MARKED VERSION OF CLAIMS

1. A chair of a type having a seat portion and a backrest portion, the chair comprising a seat support structure, a backrest support structure, at least one air-containing cushion positioned on the seat support structure, at least one air-containing cushion secured to the backrest support structure, a layer of compressible material overlaying the cushions, and an upholstery material covering the layer of compressible material; each cushion comprising a bladder which is formed from a pliable, gas impermeable material and each bladder being charged with air [in an] prior to use such that when used the amount is not greater than 60% of the maximum contained volume of the bladder whereby the air may freely be displaced only within the bladder in use, and wherein each bladder underlies entirely that respective part of a person adjacent to the seat and backrest when occupying the chair, as a consequence of which shaping may be imparted to the cushion to complement the person's shape.
2. The chair as claimed in claim 1 wherein each bladder is charged with air [in an] prior to use such that when used the amount is not greater than 50% of the maximum contained volume of the bladder.
3. The chair as claimed in claim 1 wherein each bladder is charged with air [in an] prior to use such that when used the amount is between 15% and 30% of the maximum contained volume of the bladder.
4. The chair as claimed in claim 1 wherein respective ones of the bladders are charged with air prior to use to different levels falling within the range 15% to 60% of the maximum contained volume of the respective bladders.

5. The chair as claimed in any one of claims 1 to 4 wherein each bladder is provided with a valve through which air is admitted to the bladder prior to use.
6. The chair as claimed in any one of claims 1 to 4 wherein each bladder has a front wall, a back wall and peripheral side walls whereby the bladder would assume a generally oblong shape if it were charged with air in an amount equal to the maximum contained volume of the bladder.
7. The chair as claimed in any one of claims 1 to 4 wherein the compressible material that overlays the cushions comprises an expanded foam plastics material sheet.
8. The chair as claimed in any one of claims 1 to 4 wherein two of the air-containing cushions are secured to the backrest support structure, one above the other.
9. The chair as claimed in claim 8 wherein an upper one of the backrest support structure cushions overlaps the lower one of the backrest support cushions, and wherein the lower one of the backrest support cushions overlaps the cushion that is positioned on the seat support structure.
10. The chair as claimed in claim 9 wherein the upper one of the backrest support cushions extends over and around an upper edge of the backrest portion of the chair.
11. The chair as claimed in any one of claims 1 to 4 wherein an underlay which is formed from an expanded foam sheet material is located below the air-containing cushions.
12. The chair as claimed in claim 11 wherein the underlay is formed from a material that has a higher density than that of the compressible material that overlays the cushions.
13. The chair as claimed in any one of claims 1 to 4 wherein the upholstery material is composed of a semi-permeable or vapour-permeable plastics sheet material.
14. The chair as claimed in any one of claims 1 to 4 wherein the backrest support structure is pivotably mounted with respect to the seat support structure.
15. The chair as claimed in any one of claims 1 to 4 wherein the seat support structure is mounted to a support base which is carried by wheels.
16. The chair as claimed in claim 15 wherein the seat support structure is pivotably mounted with respect to the support base.

17. The chair as claimed in any one of claims 1 to 4 wherein a leg support portion is pivotably mounted with respect to the seat portion and wherein an air-containing cushion is mounted to the leg support portion and is overlayed by both the compressible material and the upholstery material.
18. The chair as claimed in any one of claims 1 to 4 wherein the seat support structure and the backrest support structure are formed as metal frames and wherein the metal frames carry reinforced plastics sheet material which support, either directly or indirectly, the air-containing cushions.
19. The chair as claimed in any one of claims 1 to 4 wherein the cushions are removably secured to the seat and backrest support structures by way of self-securing fastening materials.
20. The chair as claimed in any one of claims 1 to 4 wherein the upholstery material is secured in place by the use of self-securing fastening materials.